

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Servants – Panchayat Raj & Rural Development Department - Sri Ch. Prabhakar Rao, Asst., Director of Agriculture, formerly I/c Mandal Parishad Development Officer, Pittalavanipalem Mandal, Guntur District.- Committed certain irregularities in the Elementary Education Funds in Gram Panchayat, Pittalavanipalem, Guntur District – Imposition of punishment of reduction in post by one category with all consequences permanently duly cancelling the orders issued by the Commissioner & Director of Agriculture – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (Vig.IV) DEPARTMENT

G.O.Rt.No: 10

Dated:- 02-01-2010.

Read the following:-

- (1) Govt.Memo.No: 355/VS-II/A2/2001-14, Dt:- 2-3-2002.
- (2) G.O.Rt.No: 1793, PR&RD(VS.II) Dept., Dt:- 2-12-2003.
- (3) From the Chief Executive Officer, Zilla Parishad, Guntur, Lr.No.Rc.432/1993/A1, Dt:- 7-3-2005 (Enquiry Report)
- (4) Proceedings, No: Vig.II(2)391/06, Dt:- 25-7-2006 of the Commissioner & Director of Agriculture
- (5) Orders of Hon'ble A.P.Administrative Tribunal, dt:- 27-11-2008 in O.A.No: 5792/ 2006 filed by Sri Ch.Prabhakara Rao, ADA.,
- (6) From Agriculture & Cooperation Dept., Memo.No:17491/Vig.1/1/ 2006-3, Dt:- 21-1-2009.

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ORDER:-

In the ref. 1st read above, a charge memo has been issued to Sri Ch. Prabahakara Rao, the then I/c Mandal Parishad Development Officer, Pittalavanipalem, Guntur District calling for his explanation on certain financial irregularities in the funds of Elementary Education, Pittalavanipalem, Guntur District.

2. After obtaining explanation, Government have issued orders vide ref., 2nd read above, appointing the Chief Executive Officer, Zilla Parishad, Guntur as Inquiry Authority under Sub-Rule (2) of Rule-20 of A.P.Civil Services (CC&A) Rules, 1991 to conduct common enquiry into the charges framed against all the Accused Officers involved in the misappropriation of Mandal Parishad Elementary Educations funds, Pittalavanipalem, Guntur District.

3. The Chief Executive Officer, Zilla Parishad, Guntur has furnished his enquiry report in detail in two volumes vide ref., 3rd read above. In respect of Sri Ch. Prabhakar Rao, the then I/C Mandal Parishad Development Officer and working ADA., Podili, Prakasam Dist., the enquiry officer held that the charge is proved. Accordingly, the relevant material has been communicated to Agriculture & cooperation Dept., for taking further action as he is under the control of A& C Dept., After following the procedure, the Commissioner & Director of Agriculture issued orders vide ref., 4th read above, imposing penalty of reduction in the post of one category with all consequences permanently for the charges proved against him in the enquiry.

4. Aggrieved by the above orders, Sri Ch.Prabhakar Rao, filed O.A.No: 5792 of 2006 and the Hon'ble A.P.Administrative Tribunal, in their orders, dt:- 27-11-2008 issued the following direction:-

P.T.O.

The O.A. itself is being disposed of by setting aside the impugned orders passed by the 3rd respondent (i.e., Commissioner & Director of Agriculture) imposing a punishment on the applicant herein vide proceedings dated:- 25-7-2006 as the said orders have been passed by an incompetent authority i.e., Commissioner and Director of Agriculture, A.P., Hyderabad in violation of the orders passed in G.O.Rt.No: 1793, dated:- 2-12-2004 wherein the Principal Secretary to Government, PR & RD Department was appointed as a disciplinary authority to conduct disciplinary proceedings by a common enquiry and to impose penalty. In view of the above, the O.A., is disposed of by setting aside the impugned orders and by leaving it open to the disciplinary authority appointed vide G.O.Rt.No: 1793, dated:- 2-12-2004 to pass appropriate orders after receipt of the report in the common enquiry and pass appropriate orders, as the incident relates to the years 1989-90 and 1992-93. if the disciplinary proceedings are not yet concluded by the competent authority, the respondents shall consider the case of the applicant for further promotion to the next higher post, without reference to the pending disciplinary proceedings.

5. Government, after taking into consideration of the above orders, and keeping in view the facts of the case, hereby, impose the penalty of reduction in post by one category, i.e., Assistant Director to Agricultural Officer with all consequences permanently for the charges proved against Sri Ch. Prabhakar Rao, former Agriculture Officer & I/c MPDO., Guntur Dist., duly cancelling the orders issued by the Commissioner & Director of Agriculture in his proceedings No:Vig.II(2)391/06, Dt:- 25-7-2006.

6. The Agriculture & Cooperation Department shall take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**M.V.P.C.SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri Ch.Prabhakar Rao, ADA., through the Agriculture & Cooperation Dept.,
The Agriculture & Cooperation Dept.,

Copy to:- The Commissioner & Director of Agriculture, Hyd.

The Secretary to APVC., Hyd.

Sf/Sc.

//FORWARDED BY: ORDER//

SECTION OFFICER